

IC 9-17-6

Chapter 6. Manufactured Homes

IC 9-17-6-1

Certificate of title; requirement

Sec. 1. A person who owns a manufactured home shall obtain a certificate of title for the manufactured home under this chapter.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-2

Application; contents

Sec. 2. A person applying for a certificate of title under this chapter must submit an application on a form furnished by the bureau that contains the following information:

- (1) A full description of the manufactured home.
- (2) A statement of the person's title and of any lien or encumbrance upon the manufactured home.
- (3) Any other information required by the bureau.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-3

Oath and affirmation; signature

Sec. 3. (a) The form described under section 2 of this chapter must include the following printed statement:

"I swear or affirm that the information I have entered on this form is correct. I understand that making a false statement on this form may constitute the crime of perjury."

(b) The person applying for the certificate of title must sign the form directly below the printed statement.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-4

Certificate of title previously issued; manufacturer's certificate of origin; documents accompanying application

Sec. 4. If a certificate of title:

- (1) has been previously issued for a manufactured home in Indiana, an application for a certificate of title must be accompanied by the certificate of title; or
- (2) has not previously been issued for a manufactured home in Indiana, the application must be accompanied by a manufacturer's certificate of origin as provided in IC 9-17-8.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-5

Out of state homes brought into Indiana; documents accompanying application

Sec. 5. If the application for a certificate of title is for a manufactured home brought into Indiana from another state, the application must be accompanied by:

- (1) the certificate of title issued for the manufactured home by

the other state if the other state has a certificate of title law; or
(2) a sworn bill of sale or dealer's invoice fully describing the
manufactured home and the most recent registration receipt if
the other state does not have a certificate of title law.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-6

Security interests; application of U.C.C. provisions

Sec. 6. Except as otherwise provided, IC 26-1-9.1 applies to a security interest in a manufactured home.

As added by P.L.2-1991, SEC.5. Amended by P.L.57-2000, SEC.4.

IC 9-17-6-7

Perfection of security interests

Sec. 7. A security agreement covering a security interest in a manufactured home that is not inventory held for sale may only be perfected by indicating the security interest on the certificate of title or duplicate certificate of title for the manufactured home issued by the bureau.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-8

Secured parties; application for certificate of title; notation of security interest

Sec. 8. (a) A secured party that:

- (1) submits a properly completed application for a manufactured home certificate of title to the bureau; and
- (2) pays the fee required by IC 9-29 for a certificate of title;

may have a notation of a security interest in the manufactured home made on the face of the certificate of title issued by the bureau.

(b) The bureau shall do the following:

- (1) Enter the notation and the date of the notation on the certificate of title.
- (2) Make a corresponding entry in the bureau's records.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-9

Discharge of security interests; note of discharge on certificate

Sec. 9. When a security interest indicated on a certificate of title to a manufactured home is discharged, the person who holds the security interest shall note the discharge of the security interest over the person's signature on the certificate of title.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-10

Evidence of title; retention by bureau

Sec. 10. The bureau shall retain the evidence of title presented by an applicant upon which the Indiana certificate of title is issued.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-11

Review of application by bureau; reasonable diligence

Sec. 11. The bureau shall use reasonable diligence in determining if the facts stated in an application for a certificate of title are true.
As added by P.L.2-1991, SEC.5.

IC 9-17-6-12

Issuance of certificate of title

Sec. 12. If the bureau is satisfied that the person applying for the certificate of title is the owner of the manufactured home or is otherwise entitled to have the manufactured home titled in the person's name, the bureau shall issue an appropriate certificate of title over the signature of the bureau and sealed with the seal of the bureau.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-13

Delivery of certificate of title to owner

Sec. 13. (a) If a lien or an encumbrance does not appear on the certificate of title, the bureau shall deliver a certificate of title to the person who owns the manufactured home.

(b) If a lien or an encumbrance appears on the certificate of title, the bureau shall deliver the certificate of title to the person named to receive the certificate of title in the application for the certificate of title.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-14

Validity of certificate; term

Sec. 14. A certificate of title is valid for the life of the manufactured home as long as the manufactured home is owned or held by the original holder of the certificate of title.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-15

Renewal of certificate

Sec. 15. A certificate of title described under this chapter does not have to be renewed except as otherwise provided.

As added by P.L.2-1991, SEC.5.

IC 9-17-6-15.1

Affidavit of transfer to real estate; application

Sec. 15.1. (a) A person who holds a certificate of title or a certificate of origin for a manufactured home that is attached to real estate by a permanent foundation may apply for an affidavit of transfer to real estate with the bureau.

(b) An application for an affidavit of transfer to real estate must contain the following:

- (1) A full description of the manufactured home, including the legal description of the real estate to which the manufactured

home is attached.

(2) The:

(A) certificate of title for the manufactured home, including a notation of any lien or encumbrance on the manufactured home; or

(B) manufacturer's certificate of origin for the manufactured home, if a certificate of title has not been issued for the manufactured home, along with:

(i) an application for a certificate of title under section 2 of this chapter; and

(ii) any appropriate fee under IC 9-29-4 and any appropriate service charge under IC 9-29-3.

(3) An attestation by the owner of the manufactured home that the manufactured home has been permanently attached to the real estate upon which it is located.

(4) The following printed statement:

"I swear or affirm that the information that I have entered on this form is correct. I understand that making a false statement on this form may constitute the crime of perjury."

(5) The signature of the person applying for the affidavit directly under the statement set forth in subdivision (4).

(6) Any other information required by the bureau.

(c) The bureau shall certify information regarding the title of the manufactured home on the affidavit of transfer to real estate.

As added by P.L.106-2003, SEC.2.

IC 9-17-6-15.3

Affidavit of transfer to real estate; recording

Sec. 15.3. Upon receipt from the person filing the affidavit of transfer to real estate with the accompanying certificate of title, the recorder of the county in which the manufactured home is located shall record the affidavit in the manner required by IC 36-2-11-8, provided that the auditor of the county has performed the endorsement required by IC 36-2-9-18.

As added by P.L.106-2003, SEC.3.

IC 9-17-6-15.5

Application of transfer to real estate; conversion of manufactured home to real estate

Sec. 15.5. The filing in the appropriate county recorder's office of the affidavit of transfer to real estate with the certificate of title is deemed a conversion of the manufactured home that is attached to real estate by a permanent foundation to an improvement upon the real estate upon which it is located.

As added by P.L.106-2003, SEC.4.

IC 9-17-6-16

Violation of chapter; Class C infraction

Sec. 16. A person who violates this chapter commits a Class C infraction.

As added by P.L.2-1991, SEC.5.